

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 2, 2007

DIVISION TWO

[illegible]

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

B190145 Ahdoot (Not for Publication)
v.
10811 Ashton Apartments, et al.

The orders appealed from are affirmed. Respondents are entitled to costs on appeal.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

DIVISION TWO (continued)

B191283 Sabbagh (Not for Publication)
 v.
 Isak

The judgment is affirmed. Respondent is awarded his costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

B187700 Ohara (Not for Publication)
 v.
 Kim, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

B191468 People (Not for Publication)
 v.
 Smith

The order under review is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION TWO (continued)

B188622 People (Not for Publication)

V.

Khalid M.

The challenged dispositional order is modified to provide that appellant cannot “remain in the presence of anyone he knows to be unlawfully armed.” The matter is remanded for the juvenile court to clarify whether it intends to impose the condition that appellant “stay away from places where users congregate.” If so, that condition must also contain a knowledge requirement. In all other respects the judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.

Doi Todd, J.

B190250 People (Not for Publication)

V.

Winget

The trial court is ordered to modify the probation condition in the judgment that defendant “possess no blank checks, not write any portion of any checks and not have a bank account upon which checks may be drawn” to read as follows: “Possess no blank checks, not write any portion of any checks, not have a bank account upon which checks may be drawn, in any name other than his true name, Mark Steven Winget.” In all other respects, the judgment is affirmed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.

Chavez, J.

DIVISION TWO(continued)

B197085 Wachter, et al.
 v.
 Tobin Steel Company, Inc.

Filed order denying petition for rehearing.

DIVISION THREE

B186394 Al Romero et al (Not for Publication)
 v.
 La Power Joint Venture et al

The judgment is reversed. The fifth cause of action in the first amended complaint is reinstated. Respondents to pay costs on appeal.

Aldrich, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION FOUR

B189728 Rodriguez, a Minor, etc. (Not for Publication)
 v.
 Rey-Monroy

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
 Suzukawa, J.

DIVISION FOUR (continued)

B188491 People (Not for Publication)

V.

Head

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

B192732 Los Angeles County, D.C.S. (Not for Publication)

V.

David J., et al.

The orders are affirmed.

Epstein, P.J.

We concur: Manella, J.
Suzukawa, J.

DIVISION FIVE

B191208 People (Not for Publication)

V.

Scott Wells Adair

The judgment is conditionally reversed as described in the body of this opinion.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

DIVISION SIX

[illegible]

We affirm the judgment, vacate the sentence, and remand the matter for resentencing. (*Cunningham v. California, supra*, 549 U.S. ____ [2007 WL 135687].) The trial court shall forward the amended abstract of judgment to the Department of Corrections.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B189432 People (Not for Publication)
v.
Rizo, et al.

The judgment is affirmed as to Gonzalez. The case is remanded as to Rizo for re-sentencing on counts 1 and 2 consistent with the views expressed in *Cunningham v. California, supra*, __ U.S. __ [127 S.Ct. 586].

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SIX (continued)

B188823 Evangeline (Not for Publication)
 v.
 Port San Luis Harbor District

We affirm. Respondents are to recover costs.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B188218 Levsey (Not for Publication)
 v.
 Callegus Municipal Water District

The judgment is affirmed. Costs on appeal to be awarded to respondent.

Coffee, J.

We concur: Yegan, Acting P.J.
 Perren, J.

B194727 People (Not for Publication)
 v.
 Cruz

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

DIVISION SEVEN

B186694 Martin et al., (Not for Publication)
 v.
 Badgley

The trial court's order vacating the default and judgment is affirmed and the matter is remanded for further proceedings. Respondent is to recover her costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
 Johnson, J.

B190061 Singer (Not for Publication)
 v.
 Spelling Television, Inc., et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur: Perluss, P.J.
 Woods, J.

B185375 Benn et al., (Certified for Publication)
 v.
 County of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, Acting P.J.

We concur: Woods, J.
 Zelon, J.

May 2, 2007 (Continued)

DIVISION SEVEN (continued)

B189325 Elkandary (Not for Publication)
v.
Wells Fargo Bank

The judgment is affirmed. Wells Fargo is entitled to its costs of appeal.

Woods, J.

We concur: Johnson, Acting P.J.
 Zelon, J.

B183711 People
v.
Herndon

Filed order modifying opinion. Petitions for rehearing is denied. (No change in the judgment)

B197112 Oldham
v.
Flynt

Filed order consolidating above captioned appeals.

DIVISION EIGHT

Court convened at 9:07 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Emma Jean Amos, Deputy Clerk.

DIVISION EIGHT (continued)

Each of the following:

B189388 People v. William
B190523 People v. Thomas
B190628 People v. Hamilton S.
B194262 DCFS v. Susana G.
B193013 People v. Perez
B194863 DCFS v. Stephanie T. & Cecilio R.

Argument waived, cause submitted.

B188241 Bradstreet
v.
Bradstreet et al.

Appearances:

Stephen Bradstreet, appellant in propria persona, no appearance by counsel
for respondent. Argument waived, cause submitted.

B194926 J.C. Gury Company
v.
Nippon Carbide Industries (USA), Inc.,

Merits:

Argued by Joseph Markowitz for appellant and by Charles Mollis for
respondent. Cause submitted.

B178918 McNairy et al.,
v.
C.K. Realty et al.,

Merits:

Argued by Cyril Czyajkowskj for defendants/appellants and by Douglas
Benedon for plaintiffs and appellants. Cause submitted.

DIVISION EIGHT (continued)

B191797 Perez
 v.
 Ferguson et al.,

Merits:
Argued by Robert Racine for appellant and by Phillip Samovar for
respondents. Cause submitted.

Boland, J. left the bench.

B186582 People
 v.
 McClendon

Merits:
Argued by Edward Schulman for appellant and by Richard Moskowitz,
Deputy Attorney General for respondent. Cause submitted.

B189270 Ganz & Gorsline
 v.
 L.A. County MTA

Merits:
Argued by Edward Hoffman for appellant and by Nedra Jenkins, Deputy
County Counsel for respondent. Cause submitted.

B178509 People
 v.
 Rathbun

Oral argument continued to May 31, 2007, at 1:00 p.m.

Court recessed.

DIVISION EIGHT (continued)

Court reconvened at 1:00 p.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Emma Jean Amos, Deputy Clerk.

B188265 9901 Alameda, LLC
 v.
 Shama, LLC,

Merits:

Argued by Michael Ambramson for appellant and by Thomas Robins, III for respondent. Cause submitted.

B191282 Welch et al.,
 v.
 St. George et al.,

Merits:

Argued by Derek Tabone for appellants and by William Henley for respondents. Cause submitted.

B192925 Cameron
 v.
 U.S. Bank fka Firststar Bank et al.

Merits:

Argued by Angela Cameron, appellant in propria persona for and by Daniel Goulding for respondents. Cause submitted.

Boland, J. left the bench.

May 2, 2007 (Continued)

DIVISION EIGHT (continued)

B191039 Genevieve
v.
State of California Dept. of Social Services

Merits:
Argued by Pierre Geneviev, appellant in pro propria persona for and by S. Paul Brugera, Deputy Attorney General for respondent. Cause submitted.

Court adjourned at 2:30 p.m.

B190523 People (Certified for Partial Publication)
v.
Thomas

The judgment is affirmed.

Boland, J.

We concur: Rubin, Acting P.J.
Flier, J.